

REMARKS/ARGUMENTS

The claims are 1-8. Claims 1 and 8 have been amended to better define the invention by specifying that the emptying of the container commences after the container has been entirely unloaded from the tipping device and moved along the path as suggested by the Examiner. These claims and claims 2-7 have also been amended to improve their form or to delete reference numerals. Reconsideration is expressly requested.

Claims 1-7 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. In the Examiner's view, the claim was unclear as to exactly when the emptying commenced. In response, Applicant has amended claim 1 to specify that the emptying of the container commences after the container has been entirely unloaded from the tipping device and moved along the path extending between the input and emptying stations.

It is respectfully submitted that no further amendments need be made to the claims and that amended claim 1 fully complies with 35 U.S.C. 112, second paragraph. Claim 1, as amended, clearly covers the situations where the emptying of the container

commences after the tipping device is returned to its first operating position as well as the situation where the emptying of the container commences before the tipping device is returned to its first operating position. For example, where the path is of a length substantially equal to the length of the container, the emptying of the container commences while the tipping device is returning to its first operating position and before the tipping device is returned to its first operating position. In this situation, as well as the situation in which the emptying of the container commences after the tipping device is returned to its first operating position, the container is completely free of the tipping device as recited in claim 1, as amended, and which it is respectfully submitted would be clearly understood by one of ordinary skill in the art. Accordingly, Applicant respectfully requests that the Examiner's rejection on the basis of 35 U.S.C. 112 be withdrawn.

Claim 8 was rejected under 35 U.S.C. 102(b) as being anticipated by, or in the alternative, under 35 U.S.C. 103(a) as obvious over *Lotti U.S. Patent No. 4,234,279* for the reasons set forth on pages 3-4 of the Office Action. The Examiner also

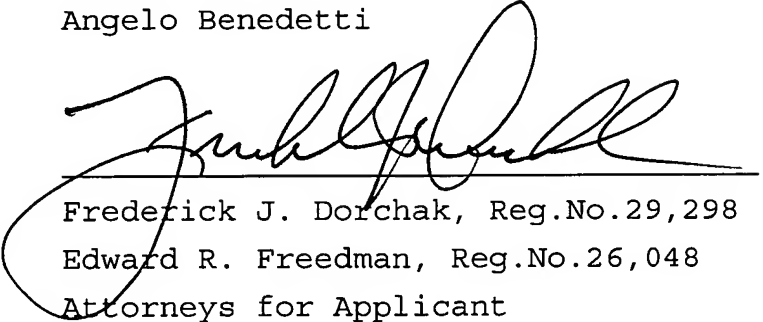
indicated, however, that claim 1 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. 112, second paragraph, set forth in the Office Action as *Lotti*, the closest prior art, requires that the emptying of the container start while the tipping device still holds a portion of the container. In this connection, the Examiner also indicated that claim 8 does not set forth that the emptying starts after the entire container is removed from the tipping device.

In response, Applicant has amended claim 8 to recite that the emptying of the container commences after the container has been entirely unloaded from the tipping device and moved along the path extending between the input and emptying stations. As recited in claim 8, this path has a length measured parallel to the first direction in which the container is fed at least equal to a length of the container measured parallel to the first direction. As this feature is neither disclosed nor suggested by *Lotti*, as recognized by the Examiner, it is respectfully submitted that claim 8 is patentable over *Lotti* together with claim 1 which likewise contains this limitation and claims 2-7 which depend directly or indirectly on claim 1.

In summary, claims 1-8 have been amended. In view of the foregoing, withdrawal of the Final Action and allowance of this application are respectfully requested.

Respectfully submitted,
Angelo Benedetti

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802



Frederick J. Dorchak, Reg.No.29,298
Edward R. Freedman, Reg.No.26,048
Attorneys for Applicant

FJD:cmm

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Kelly Espitia